



## **Tuesday, September 20, 2016**

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**The Probate Examiner's Office recommends approval of the following Probate matters:**

**None.**

**The following Probate matters have been continued at the request of the Petitioner or the Petitioner's attorney:**

**None.**

**The following Probate matters are off calendar:**

**None.**

**Note: Page 5, Slaton Guardianship 13CEPR00870, will be heard in Dept. 54.**

**Appearance of counsel is recommended for all remaining Probate matters set for hearing.**

**Thank you.**

<b>DOD: 08/23/2016</b>	<b>KAREN METZLER</b> , was appointed Successor Conservator of the Persona and the Estate, without bond on 01/06/2015.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<b>Note: Status Hearing Re: the Petition for Termination of Conservatorship Proceedings of Deceased Conservatee:</b>
<b>Cont. from</b>	Letters issued on 01/09/2015	<b>• Tuesday, 02/21/2017 at 9:00a.m. in Dept. 303</b>
<b>Aff.Sub.Wit.</b>	<b>Minute Order of 09/22/2015</b> set this Status Hearing Regarding Cash on Hand and the Real Property.	
<b>Verified</b>	Minute Order states the Court read and considered the status report, and the Court is convinced that the fair rental value is equal to or less than the monies already being paid to maintain the property. The current amount of the cash on hand is \$616.00. Ms. Johnson will prepare a yearly informal accounting, verified by her client.	Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>	<b>Declaration of Conservator Karen Metzler Regarding Informal Accounting of Conservatorship Cash Account and Status Concerning Conservatee's Real Property filed 09/15/2016.</b>	
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		<b>Reviewed by: LV</b>
<b>Order</b>		<b>Reviewed on: 09/15/2016</b>
<b>Aff. Posting</b>		<b>Updates: 09/19/2016</b>
<b>Status Rpt</b>		<b>Recommendation:</b>
<b>UCCJEA</b>		<b>File 1- Taylor</b>
<b>Citation</b>		
<b>FTB Notice</b>		

**2 Adam Flavio Carbajal (GUARD/P)****Case No. 10CEPR00008**

Guardian: Alfredo Garcia (pro per – maternal grandfather)

Guardian: Maria Alvarez-Garcia (pro per – maternal grandmother)

Petitioner: Alfonso Delgado, JR (pro per – maternal uncle)

**Petition for Appointment of Guardian of the Person**

		<b>ALFONSO DELGADO, JR.</b> , maternal uncle, is petitioner and requests appointment as Co-Guardian.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Need proof of personal service of the Notice of Hearing along with a copy of the Petition or Consent and Waiver of Notice or Declaration of Due Diligence for: a. Flavio Carbajal (father) – <i>unless the court dispenses with notice.</i> b. Adam Carbajal (minor, age 12)  2. Need proof of service of the Notice of Hearing along with a copy of the Petition or Consent and Waiver of Notice or Declaration of Due Diligence for: a. Paternal grandfather – <i>unless the court dispenses with notice.</i> b. Angelica Notato (paternal grandmother) – <i>unless the court dispenses with notice.</i>
<b>Cont. from 080916</b>			
	<b>Aff.Sub.Wit.</b>		
✓	<b>Verified</b>		
	<b>Inventory</b>		
	<b>PTC</b>		
	<b>Not.Cred.</b>		
✓	<b>Notice of Hrg</b>		
	<b>Aff.Mail</b>	X	
	<b>Aff.Pub.</b>		
	<b>Sp.Ntc.</b>		
✓	<b>Pers.Serv.</b>	W/	
✓	<b>Conf. Screen</b>		
✓	<b>Letters</b>		
✓	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
	<b>CI Report</b>		
	<b>9202</b>		
✓	<b>Order</b>		
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
✓	<b>UCCJEA</b>		
	<b>Citation</b>		
	<b>FTB Notice</b>		

<b>Reviewed by:</b> KT
<b>Reviewed on:</b> 9/9/16
<b>Updates:</b>
<b>Recommendation:</b>
<b>File 2- Carbajal</b>

### 3 Angelina Delgado & Kaylynne Lenard (GUARD/P)

Case No. 11CEPR00559

Guardian: Alfredo Garcia (pro per – maternal grandfather)

Guardian: Maria Alvarez-Garcia (pro per – maternal grandmother)

Petitioner: Alfonso Delgado, JR (pro per – maternal uncle)

#### Petition for Appointment of Guardian of the Person

		<b>ALFONSO DELGADO, JR.</b> , maternal uncle, is petitioner and requests appointment as Co-Guardian.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>Continued from 8/9/16</b>  3. Need Notice of Hearing.  4. Need proof of personal service of the Notice of Hearing along with a copy of the Petition or Consent and Waiver of Notice or Declaration of Due Diligence for: c. Kevin Lenard (father) – unless court dispenses with notice. d. Rosario G. Delgado (mother) – unless court dispenses with notice.  5. Need proof of service of the Notice of Hearing along with a copy of the Petition or Consent and Waiver of Notice or Declaration of Due Diligence for: c. Paternal grandparents – unless the court dispenses with notice.
<b>Cont. from 080916</b>			
	<b>Aff.Sub.Wit.</b>		
✓	<b>Verified</b>		
	<b>Inventory</b>		
	<b>PTC</b>		
	<b>Not.Cred.</b>		
	<b>Notice of Hrg</b>	X	
	<b>Aff.Mail</b>	X	
	<b>Aff.Pub.</b>		
	<b>Sp.Ntc.</b>		
	<b>Pers.Serv.</b>	X	
✓	<b>Conf. Screen</b>		
✓	<b>Letters</b>		
✓	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
✓	<b>CI Report</b>		
	<b>9202</b>		
✓	<b>Order</b>		
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
✓	<b>UCCJEA</b>		
	<b>Citation</b>		
	<b>FTB Notice</b>		
<b>Reviewed by:</b> KT			
<b>Reviewed on:</b> 9/8/16			
<b>Updates:</b>			
<b>Recommendation:</b>			
<b>File 3- Delgado/ Lenard</b>			

**4 Alexis Cedano, Victor Cedano, Gabriel Cedano, Noah Cedano, Jayden Cedano, Reyna Cedano, Victoria Cedano, Jonah Cedano (GUARD/P)**  
**Case No. 11CEPR00795**

Guardian: Nicole Tafoya (pro per)  
 Petitioner: Rosemary Sendejas (pro per)  
 Petitioner: Paul Sendejas (pro per)

**Petition for Visitation**

		<b>PAUL SENDEJAS and ROSEMARY SENDEJAS</b> , father and step-mother, are petitioners.  <b>NICOLE TAFOYA</b> , maternal aunt, was appointed guardian on 11/16/11.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>This petition is as to JONAH CEDANO only.</b>  <b>Continued from 8/2/16. Minute order states</b> the Court orders the Court Investigator to meet with Paul Sendejas, Nicole Tafoya, and the minor Jonah to report back as to safety concerns if visitation were to occur, and as to whether or not any visitation should be supervised or unsupervised. The Court orders Nicole Tafoya not to speak with the minor Jonah about this matter.
<b>Cont. from 080216</b>			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>			
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			<b>Reviewed by:</b> KT / sef <b>Reviewed on:</b> 9/8/16 <b>Updates:</b> 9/15/2016 <b>Recommendation:</b> <b>File 4- Cedano</b>

Attorney Terri L. McCracken (for Petitioners Amie Eliza Visser and Jay Matthew Visser)  
 Guardians Roy Oken and Doreen Oken (Pro Per, non-relatives)

## Petition for Appointment of Guardian of the Person

			<p><b>TEMPORARY DENIED ON 8/23/2016</b></p> <p><b>JAY VISSER</b> and <b>AMIE VISSER</b>, non-relatives, are Petitioners.</p> <p><i>~Please see Petition for details~</i></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>This matter will be heard in Department 54.</b></p> <ol style="list-style-type: none"> <li>1. There is no vacancy in the office of Guardian. Need either a petition for removal or written resignation from both current guardians, <b>ROY OKEN</b> and <b>DOREEN OKEN</b>, to be filed with the Court.</li> <li>2. Notice of Hearing filed 8/3/2016 does not show the notice was served with a copy of the <i>Petition for Appointment of Guardian</i> as required.</li> </ol> <p><i>~Please see additional page~</i></p>
Cont. from				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail	W/O		
	Aff.Pub.			
	Sp.Ntc.			
✓	Pers.Serv.			
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
✓	CI Report			
✓	Clearances			
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
			<p><b>Reviewed by:</b> LEG</p> <p><b>Reviewed on:</b> 9/14/16</p> <p><b>Updates:</b> 9/16/16</p> <p><b>Recommendation:</b></p> <p><b>File 5 – Slaton</b></p>	

## 5 Additional Page, Penny Elizabeth Slaton (GUARD/P) Case No. 13CEPR00870

Court Investigator filed on 9/14/2016 Department of Social Services Social Worker's Report.

### NEEDS/PROBLEMS/COMMENTS, continued:

3. Need proof of personal service at least 15 days prior to the hearing of the *Notice of Hearing* along with a copy of the *Petition for Appointment of Guardian or Consent and Waiver of Notice or Declaration of Due Diligence* for:
  - a. Roy Oken (guardian); *(Note: Proof of Service by Mail filed 8/3/2016 to Roy Oken is insufficient as personal service is required.)*
  - b. Doreen Oken (guardian); *(Note: Proof of Service by Mail filed 8/3/2016 to Doreen Oken is insufficient as personal service is required.)*
  - c. Elizabeth Slaton (mother.) *(Note: Proof of Service by Mail filed 8/3/2016 to the mother c/o Linda Burke is insufficient as personal service directly to the mother is required.)*
4. Need proof of service by mail of the *Notice of Hearing* with a copy of the *Petition for Appointment of Guardian, or Consent to Appointment of Guardian and Waiver of Notice, or a Declaration of Due Diligence*, for:
  - Zachary Bluestone, half-sibling, if age 12 or over;
  - Evan Bluestone, half-sibling, if age 12 or over.

**6 Alyssa Esparza & Haylee Esparza (GUARD/P) Case No. 14CEPR00451**

Petitioner Esparza, Fernando Salazar (Pro Per – Father)

Guardian Campbell, Susan (Pro Per – Objector)

**Petition for Termination of Guardianship**

		<b>FERNANDO ESPARZA</b> , father, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>Minute Order of 08/02/2016:</b> <b>Examiner notes provided in open court.</b>  1. Attached to the Notice of Hearing filed 07/14/2016 is a declaration signed by the petitioner. If the petitioner's intent is that the Court consider this declaration, it must be filed as a stand-alone document and not attached to the notice of hearing.
		<u>Please see petition for details</u>	
Cont. from 070516, 080216			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input checked="" type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input checked="" type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			<b>Reviewed by:</b> LV
			<b>Reviewed on:</b> 09/14/2016
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 6- Esparza</b>



Attorney Heather H. Kruthers (for Public Administrator)

Attorney Catherine A. Amador (for former Dearil White, Administrator)

**Petition for Settlement of First and Final account; Petition for Final  
Distribution and for Allowance of Compensation for Ordinary and  
Extraordinary Services**

<b>DOD: 12/13/2013</b>		<b>DEARIL WHITE</b> , son and Administrator, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<b>Account period: 12/12/2014 – 5/1/2016</b>	<p><u>Continued from 8/2/2016.</u> Minute Order states counsel [Amador] represents that she has been unable to contact her client. The Court orders Dearil White removed as Administrator forthwith and appoints the Public Administrator. Letters are to issue from the minute order. The Public Administrator is not required to take any action at this time other than to take possession of the assets. The Court further orders that any and all information concerning the estate is to be turned over to the Public Administrator by 8/9/2016.</p> <p><u>Note:</u> Letters of Successor Administration issued to the <b>PUBLIC ADMINISTRATOR</b> on 8/11/2016.</p> <p><u>Note:</u> Please see Second Additional Page for summary of Report of Public Administrator Regarding Estate Assets and Request for Discharge filed 9/14/2016.</p> <p align="center">~Please see additional page~</p>
		Accounting - <b>\$150,000.00</b>	
		Beginning POH - <b>\$150,000.00</b>	
		Ending POH - <b>\$150,000.00</b> (no cash; real property in Riverdale;)	
<b>Cont. from 063016, 080216</b>		Administrator - <b>waives</b>	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	Attorney - <b>\$5,500.00</b> (statutory; to be paid as a lien on estate real property; )	
<input checked="" type="checkbox"/>	<b>Verified</b>	Attorney X/O - <b>\$3,037.50</b> (per Declaration filed 5/20/2016; for unlawful detainer action related to estate real property; Attorney Abrams' fees and costs advanced attached as Exhibit "A"; to be paid as a lien on estate real property;)	
<input checked="" type="checkbox"/>	<b>Inventory</b>	Costs - <b>\$1,450.00</b> (filing fees, probate referee, publication, certified copies; to be paid as a lien on estate real property;)	
<input checked="" type="checkbox"/>	<b>PTC</b>	Dept. of Health Care - <b>\$23,160.33</b> (to be paid as a lien on estate real property;)	
<input checked="" type="checkbox"/>	<b>Not.Cred.</b>	<b>Distribution pursuant to intestate succession and Assignment of Interest filed 6/23/2016 by SAM WHITE is to:</b>	
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>	<ul style="list-style-type: none"> <li><b>DEARIL WHITE</b> – entire estate consisting of 100% interest in real property in Riverdale.</li> </ul>	
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	~Please see additional page~	
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input checked="" type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b>	12/12/14; amended 042216	
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input checked="" type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
			<b>Reviewed by:</b> LEG <b>Reviewed on:</b> 9/13/16 <b>Updates:</b> 9/16/16 <b>Recommendation:</b> <b>File 7- White</b>

**Declaration in Support of Attorneys' Compensation for Extraordinary Services filed by CATHERINE AMADOR on 5/20/2016 states:**

- The estate has one asset, a parcel of real property in Riverdale, California, containing a single family residence and ~**8.5** acres of farm land;
- The Decedent allowed her niece, **MERCEDEZ WHITE**, to reside at the residence free of charge during the latter part of her life; Ms. White remained after Decedent's death;
- The property was subject to a reverse mortgage, which had become due and payable in full upon Decedent's passing, and the estate had no funds with which to pay the balance;
- Petitioner engaged **PASCUZZI, PASCUZZI & STOKER, APC**, to prosecute an unlawful detainer action to remove Ms. White and her boyfriend from the property; Attorney **ROBERT ABRAMS** performed the necessary work; a complaint was filed on March 19, 2015; Ms. White eventually filed an answer, and the matter was set for trial; after hearing the testimony and considering the evidence, the Court found in favor of **MERCEDEZ WHITE**, on the ground that Decedent had given her permission to reside on the property for an unspecified period of time; the Court interpreted this to mean she could remain there until Decedent's estate was distributed; after that, the new owner would have the right to demand that she vacate the residence.

**NEEDS/PROBLEMS/COMMENTS, continued:**

**The following issues remain pertaining to the First and Final Account of the former Administrator:**

1. Court records show a *Notice of Lien* filed 12/15/2014 against **DEARILL ANTHONY WHITE** in the sum of **\$36,547.07** plus **\$5.00/day** owed to creditor Fresno County DCSS. Paragraph 25 of the *Petition* regarding proposed distribution to **DEARIL WHITE** is silent on the status of the lien, and whether the estate distribution is subject to such lien in addition to the first, second, and third liens in the proposed distribution.
2. *Creditor's Claim* was filed 4/15/2016 by Department of Health Care Services in the amount of **\$23,160.33**. Paragraph 8 of the *Petition* states the Department of Health Care Services has consented to distribution of the estate with "Lien Order" in favor of the State of California in the full amount of its claim with interest at the rate of **7%** per annum from the date of the Order for Distribution, payable in monthly installments to be determined by the Department of Health Care Services, until paid in full, but all due and payable upon (1) the death of distributees, (2) the sale or transfer of the property, (3) payoff through an escrow, or (4) a default in payments. Need written consent from the Department of Health Care Services to the proposed lien and the repayment terms of the proposed lien to be filed with the Court.
3. Court records show a *Notice of Lien* filed 12/15/2014 against **SAM WHITE, JR.** in the sum of **\$88,667.38** plus **\$30.00/day** owed to creditor Fresno County DCSS. *Assignment of Interest* filed 6/23/2016 by **SAM WHITE**, Decedent's son, appears to be improper unless it is demonstrated that upon **SAM WHITE** having accepted his interest in the estate prior to assignment, he satisfied the Fresno County DCSS lien. **SAM WHITE**, as Decedent's son and an estate heir, accepts his interest in the estate first, and following his acceptance is then assigning it away, such that it appears **SAM WHITE** must satisfy the lien of **\$88,667.38** plus **\$30.00/day**, prior to his written assignment of his interest to the other estate heir, **DEARIL WHITE**.

**~Please see additional page~**

**Report of Public Administrator Regarding Estate Assets and Request for Discharge filed 9/14/2016 states:**

- On 8/2/2016, the Court removed Dearil White as administrator and appointed the Public Administrator (PA) as successor administrator of the decedent's estate. The minute order from that date reads, "The Public Administrator is not required to take any action at this time other than to take possession of the assets." The matter was continued to 9/20/2016.
- A review of the file provided the following information: The only asset of the estate was real property (declared by attorney Catherine A. Amador in a statement filed 4/8/2015.) There are two heirs, one of which assigned his interest in the estate to the other (declared by attorney Amador in a statement filed 4/14/2016.)
- The property was "technically in default on a reverse mortgage obtained by the Decedent (4/14/2016 statement.)
- The Public Administrator obtained the following information: Review of the 6/30/2016, *Petition for Settlement of First and Final Account* reports one asset, a real property located on Garfield Avenue in Riverdale valued at **\$150,000.00**;
- On or about 7/12/2016, the Fresno County Recorder's Office recorded the Trustee Deed upon Sale of the aforementioned property. The Trustee was requested and recorded by **MRO INVESTMENT LNC.**, which is owned by **MICHAEL OSBORNE**. The amount listed that was paid to the Grantee was **\$122,600.00**, and the unpaid debt amount listed was **\$281,207.38**. Since the only asset of the estate was the aforementioned real property, and due to Trustee's sale, that asset no longer belongs to the decedent and/or her estate, the Public Administrator requests that she be discharged as the administrator.

**NEEDS/PROBLEMS/COMMENTS for PUBLIC ADMINISTRATOR:**

1. Need Notice of Hearing of the Report of Public Administrator Regarding Estate Assets and Request for Discharge and proof of 15 days' mailed service of the Notice of Hearing with a copy of the Report for the **DEPARTMENT OF HEALTH CARE SERVICES**, per the Request for Special Notice filed 4/15/2016 pursuant to Probate Code §§ 1250 and 1252, and as creditor with an unpaid claim pursuant to Probate Code § 11000(a)(5).
2. Need Notice of Hearing of the Report of Public Administrator Regarding Estate Assets and Request for Discharge, and proof of mailed service of 15 days' notice prior to hearing pursuant to Probate Code §§ 11000 and 11601 for the following persons:
  - **CATHERINE AMADOR**, Attorney of record for **DEARIL WHITE**;
  - **DEARIL WHITE**, son;
  - **SAM WHITE, JR.**, son.

# 8 Nabella Evangelina Varela (GUARD/P) Case No. 14CEPR01034

Petitioner Doloris, Roman N. (Pro Per – Father)

Attorney Hopper, Cindy J. (for Dale and Evangelina McAnulty - Guardians)

## Petition for Visitation

		<p>ROMAN N. DOLORIS, father, is petitioner. (see Examiner Note)</p> <p><u>Please see petition for details</u></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Note: Initial Petition for Guardianship</b> filed 11/12/2014, which established this guardianship, lists Manuel Edward Varela, as the father.</p> <p><b>Note: Maternal Grandmother, Patricia Vargas</b> filed a Petition for Visitation on 07/06/2016. Hearing was continued from 08/11/2016 to 09/29/2016.</p> <p><b>Minute Order of 08/02/2016:</b> Examiner notes provided in open court.</p> <p><b>Minute Order of 07/05/2016:</b> McAnulty's received Mr. Doloris' paperwork on 06/23/2016. Mr. Doloris is to file the birth certificate. No further notice needs to be made for Evangelina McAnulty and Dale McAnulty. Objections need to be filed by 07/19/2016.</p> <p><b>For Guardians:</b></p> <ol style="list-style-type: none"> <li>Need proof of service of Response to Petition filed 06/27/2016 served on petitioner, Roman N. Doloris.</li> </ol>	
Cont. from 070516, 080216				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			w/
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
	Order			x
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
<p><b>Reviewed by:</b> LV</p> <p><b>Reviewed on:</b> 09/15/2016</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 8- Varela</b></p>				

## Probate Status Hearing RE: Filing of the First or Final Account

<b>DOD: 9/10/14</b>	<b>LAURA KUHNE-IIRIGOYEN</b> was appointed as Administrator with full IAEA authority and bond set at \$245,000 on 1/7/15.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>Page 9B</b> is the <i>Reconsideration of Allowance of Creditors Claim</i> .
<b>Cont. from 030716, 041916, 060716</b>	Bond filed on 1/8/15.	
<b>Aff.Sub.Wit.</b>	Letters issued on 1/8/15.	
<b>Verified</b>	Inventory and appraisal filed on 5/18/15 showing the estate valued at \$229,047.45.	
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>	Minute order dated 1/7/15 set a status hearing for the filing of the first account or petition for final distribution.	
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>	<b>Former Status Report filed on 5/24/16</b> states during the course of administration, it was learned that the IRS has liens on the real property. The Administrator has retained the services of JLG Tax Resolution in order to compromise the amounts claimed by the IRS. It is estimated that the resolution of the tax liens may take an additional 60 days or so. The real property will have to be sold in order to meet the obligations of the estate.	
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>	In addition to this, the practice administrator for the decedent's law practice has not yet filed a final report and it is unknown as to whether the estate will be the recipient of any proceeds from the law corporation.	
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
		<b>Reviewed by:</b> KT / LEG
		<b>Reviewed on:</b> 9/8/16
		<b>Updates:</b> 9/15/16
		<b>Recommendation:</b>
		<b>File 9A- Irigoyen</b>

Attorney J. Stanley Teixeira (for Administrator Laura Kuhne-Irigoyen)

## Reconsideration of Allowance of Creditor's Claim

<b>DOD: 9/10/14</b>	<b>LAURA KUHNE-IIRIGOYEN</b> , spouse, was appointed as Administrator with full IAEA authority and bond set at <b>\$245,000.00</b> on 1/7/2015.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. <i>Final Inventory and Appraisal</i> filed 5/18/2015 includes real property at <b>2131 Amador Street, Fresno, CA</b> , APN 446-131-16. Need additional documentation or justification for allowing reimbursement of expenses paid in relation to real property located at <b>2133 Amador Street, Fresno, CA</b> , which real property is not appraised as part of the estate assets inventoried on the <i>Final Inventory and Appraisal</i> filed 5/18/2015.
<b>Cont. from</b>	<b>LAURA KUHNE-IIRIGOYEN</b> submitted for the Court's review an Allowance of Creditor's Claim in the sum of <b>\$46,515.62</b> for expenditures made by her during estate administration relating to 2131 Amador Street, Fresno, CA, and 2133 Amador Street, Fresno, CA.	
<b>Aff.Sub.Wit.</b>	<p><b>Order on Allowance or Rejection of Creditor's Claim filed 9/15/2016</b> set this hearing on 9/20/2016, finding that the Court has considered the claim and the claim shall be reconsidered at the hearing. The <i>Allowance or Rejection of Creditor's Claim</i> submitted by Administrator Laura Kuhne-Irigoyen seeking to allow <b>\$46,515.62</b> shall be supported by additional documentation or justification to be provided at the above-stated hearing, for allowing reimbursement of expenses paid in relation to real property located at <b>2133 Amador Street, Fresno, CA</b>, which real property is not appraised as part of the estate assets inventoried on the <i>Final Inventory and Appraisal</i> filed 5/18/2015.</p> <p><b>Clerk's Certificate of Mailing filed 9/16/2016</b> shows a copy of the Order was mailed to Attorney Teixeira on 9/16/2016. [Note: Attorney was faxed and emailed a copy on 9/16/16.]</p>	
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		<b>Reviewed by:</b> LEG
<b>Status Rpt</b>		<b>Reviewed on:</b> 9/15/16
<b>UCCJEA</b>		<b>Updates:</b> 9/16/16
<b>Citation</b>		<b>Recommendation:</b>
<b>FTB Notice</b>		<b>File 9B- Irigoyen</b>

Order to Show Cause

<b>DOD: 1/13/15</b>	<b>ROBERT SEAN BAKER</b> , Son, was appointed Administrator without IAEA and without bond on 6/8/15.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<b>Note:</b> Final I&A filed 1/11/16 indicates real property in Del Rey, CA, valued at \$350,000.00. Pursuant to a declaration filed 6/5/15, the mortgage on the property was seriously delinquent at the decedent's death and the Administrator paid out of pocket to stop the non-judicial foreclosure. Administrator is the sole heir; however, various creditor's claims have been filed.
<b>Cont. from</b>	At the hearing on 6/8/15, the Court set a status hearing for 8/9/16 for the filing of the first or final account.	<b>1. Need first account or petition for final distribution pursuant to Probate Code §12200 or written status report pursuant to Local Rule 7.5.</b>
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>	At the status hearing on 8/9/16, there were no appearances and the Court issued this Order to Show Cause to Daniel Bruce as to why he should not be sanctioned for his failure to appear, and to Robert Baker, as to why he should not be removed as Administrator for his failure to file a first or final account. Both are ordered to be personally present in Court or via CourtCall on 9/20/16.	
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>	The minute order was mailed to Attorney Bruce and Mr. Baker on 8/9/16.	
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
		<b>Reviewed by:</b> skc
		<b>Reviewed on:</b> 9/13/16
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 10- Richardson</b>

**Order to Show Cause**

		<p><b>PAULA JEAN WHITMIRE</b>, Daughter, was appointed Conservator of the Person and Estate on 4/12/16 with bond of \$60,720.00. Letters issued on 4/13/16.</p> <p>At the hearing on 4/12/16, the Court set a status hearing for the filing of the Inventory and Appraisal for 8/9/16.</p> <p>Petitioner filed an I&amp;A on 6/20/16; however, it is deficient as appraisals of various personal property items (vehicles, firearms, etc.) were not done by the Probate Referee as required by Probate Code §§ 2610(c) and 8900.</p> <p>Examiner Notes for the hearing on 8/9/16 pointed out this deficiency and requested a Corrected I&amp;A or written status report.</p> <p>On 8/9/16, there were no appearances. The Court issued this Order to Show Cause to H. Ty Kharazi as to why he should not be sanctioned for his failure to appear and to Paula Whitmire as to why she should not be removed as conservator for her failure to file the I&amp;A. Both are ordered to be personally present in Court or via CourtCall on 9/20/16.</p> <p>The minute order was mailed to Attorney Kharazi and Mr. Whitmire on 8/9/16.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. Petitioner filed an Inventory and Appraisal on 6/20/16; however, it is deficient as appraisals of various personal property items (vehicles, firearms, etc.) were not done by the Probate Referee as required by Probate Code §§ 2610(c) and 8900.</p> <p>The conservator may appraise only cash assets; all other assets must be appraised by the Probate Referee.</p> <p>Therefore, need Corrected Inventory and Appraisal pursuant to Probate Code §2610 or written status report pursuant to Local Rule 7.5.</p> <p><b>Note:</b> It does not appear that the original Order Appointing Probate Conservator contained a Probate Referee appointment at #30. Therefore, the Court will appoint Probate Referee Steven Diebert at this time, and may require an amended Order.</p>
<b>Aff.Sub.Wit.</b>			
<b>Verified</b>			
<b>Inventory</b>			
<b>PTC</b>			
<b>Not.Cred.</b>			
<b>Notice of Hrg</b>			
<b>Aff.Mail</b>			
<b>Aff.Pub.</b>			
<b>Sp.Ntc.</b>			
<b>Pers.Serv.</b>			
<b>Conf. Screen</b>			
<b>Letters</b>			
<b>Duties/Supp</b>			
<b>Objections</b>			
<b>Video Receipt</b>			
<b>CI Report</b>			
<b>9202</b>			
<b>Order</b>			
<b>Aff. Posting</b>			
<b>Status Rpt</b>			
<b>UCCJEA</b>			
<b>Citation</b>			
<b>FTB Notice</b>			
		<p><b>Reviewed by:</b> skc</p> <p><b>Reviewed on:</b> 9/13/16</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 11- Garoppo</b></p>	



Petitioner: Efrain Palma (Pro per – Maternal step-grandfather)

## Petition for Appointment of Guardian of the Person (as to LEO MORENO only)

		<b><u>TEMPORARY EXPIRES 9/20/2016</u></b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>	
		<b>EFRAIN PALMA</b> , maternal step-grandfather, is petitioner	<b>Petition is as to <u>LEO MORENO</u> only.</b>	
Cont. from 053116, 070516, 080916		<i>See petition for details.</i>	<b>Minute order dated 5/31/2016</b> from temporary hearing orders no unsupervised visitation to either parent.	
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			w/
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input checked="" type="checkbox"/>	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			
<input checked="" type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input checked="" type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input checked="" type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
			<b>Reviewed by:</b> SEF	
			<b>Reviewed on:</b> 9/12/2016	
			<b>Updates:</b>	
			<b>Recommendation:</b>	
			<b>File 12- Moreno</b>	

<b>DOD: 02/09/2016</b>	<b>DANIEL I.S.J. REY-BEAR</b> , was appointed Administrator with limited IAEA authority, with \$1,377,528.40 (approx.) ordered to be placed into blocked accounts at Chase Bank and Wells Fargo Bank, and with bond set at \$20,000.00 on 06/22/2016.	<b>NEEDS/PROBLEMS/ COMMENTS:</b>  <b>Minute Order of 08/17/2016: Counsel requests 30 days in order for Administrator to gain access to safety deposit boxes.</b>  1. Need Receipt for Blocked Account from Chase Bank account.
<b>Cont. from 071316, 080316, 081716</b>	Order to Deposit Money into Blocked Account filed 05/18/2016 indicates total amount to be deposited is in Chase Bank is \$1,106,502.08.	
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>	Order to Deposit Money into Blocked Account filed 05/18/2016 indicates total amount to be deposited is in Wells Fargo Bank \$291,026.12.	
<b>Aff.Mail</b>	Receipt of Bond filed 07/06/2016 in the amount of \$20,000.00.	
<b>Aff.Pub.</b>	Letters issued on 07/06/2016	
<b>Sp.Ntc.</b>	Receipt of Bond in the amount of \$203,085.64 was filed 08/15/2016.	
<b>Pers.Serv.</b>	Receipt of Bond in the amount of \$16,893.60 filed 08/16/2016.	
<b>Conf. Screen</b>	Receipt of bond filed in the amount of \$270,003.67 filed 08/16/2016	
<b>Letters</b>	<b>Minute Order of 06/22/2016</b> set this Status Hearing for the filing of the Proof of Funds in Blocked Account.	
<b>Duties/Supp</b>	<b>Status Report for Proof of Deposit of Funds filed 08/15/2016 states on 06/22/2016</b> this Honorable Court ordered funds to be deposited in blocked accounts at Chase Bank and Wells Fargo Bank. On 08/01/2016 Wells Fargo transferred funds from the last account, a certificate of deposit, to the new Estate account so as to avoid any penalty. Today, the Receipt and Acknowledgement for the Wells Fargo Bank Account No. 6006610676 was filed and is attached as Exhibit 1. As of today Chase Bank has not filed any Judicial Council Receipt Forms directly with the Court and a copy has not been received. Mr. Ramirez states he has been advised that it is being processed. He has been advised that the Estate accounts have been opened, accounts are blocked and he is just waiting for the Judicial Council Receipt forms to be filed. It is requested that the Court continued the matter to Tuesday 09/20/2016 if available or at the convenience of the Court on a Monday or Tuesday.	
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		

Reviewed by: LV

Reviewed on: 09/14/2016

Updates:

Recommendation:

File 13- Lawson

**14A Levi DeLaCruz, Rubi Aguirre (GUARD/P)****Case No. 16CEPR00341**

Petitioner: Sylvia Carrisalez (Pro per – Maternal grandmother)

Objector: Cesar Aguirre (Pro per – Father of Rubi)

**Petition for Appointment of Guardian of the Person (as to RUBI only)**

		<b><u>TEMPORARY EXPIRES 9/20/2016</u></b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<b>SYLVIA CARRISALEZ</b> , maternal grandmother, is petitioner	<b>Petition is as to <u>RUBI</u> only.</b>
			<b>Please see related page 14B</b> for competing petition filed by Alfredo and Juanita Aguirre (Rubi's paternal grandparents).
<b>Cont. from 060716, 070516, 080916</b>		<b>See additional page.</b>	<b>Note:</b> Levi De La Cruz (ward) turned 18 years of age on 7/19/2016. Therefore, temporary guardianship of his person terminated by operation of law.
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>		
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	w/o	
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input checked="" type="checkbox"/>	<b>Pers.Serv.</b>	w/	
<input checked="" type="checkbox"/>	<b>Conf. Screen</b>		
<input checked="" type="checkbox"/>	<b>Letters</b>		
<input checked="" type="checkbox"/>	<b>Duties/Supp</b>		
<input checked="" type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input checked="" type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input checked="" type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input checked="" type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input checked="" type="checkbox"/>	<b>ICWA</b>		
			<b>Continued from 8/9/2016.</b> Minute order states the Court will allow the objection of Mr. [Cesar] Aguirre to be served via mail to petitioner; a proper proof of service is to be filed. Any response by petitioner is to be filed and properly served at least 7 days prior to 9/20/2016.  No new documents have been filed by either Petitioner Sylvia Carrisalez or Objector Cesar Aguirre since 8/9/2016.  <b>See additional page.</b>
			<b>Reviewed by:</b> SEF
			<b>Reviewed on:</b> 9/14/2016
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 14A- DeLaCruz &amp; Aguirre</b>

**14A**

**NEEDS/PROBLEMS/COMMENTS, *continued*:**

**Petitioner (Sylvia Carrisalez):**

1. Proof of service of *Notice of Hearing* filed 6/24/2016 does not indicate it was served with a copy of the petition. Need proof of service of *Notice of Hearing* with copy of petition at least 15 days prior to hearing for:
  - a. Alfredo Aguirre (Rubi's paternal grandfather and competing petitioner)
  - b. Juanita Aguirre (Rubi's paternal grandmother and competing petitioner)

**Objector (Cesar Aguirre):**

1. Per minute order dated 8/9/2016, need proof of service of objections on Petitioner Sylvia Carrisalez.

Petitioner: Alfredo Aguirre (Pro per – Paternal grandfather)

Petitioner: Juanita Aguirre (Pro pe – Paternal grandmother)

Temporary Guardian: Sylvia Carrisalez (Pro per - Maternal grandmother)

## Petition for Appointment of Guardian of the Person (as to RUBI only)

		<b>TEMPORARY EXPIRES 9/20/2016; SYLVIA CARRISALEZ</b> , maternal grandmother, was appointed temporary guardian of Rubi Aguirre on 4/11/2016.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>Petition is as to <u>RUBI</u> only.</b>  <b>Continued from 9/12/2016.</b> Minute order states matter is continued to meet up with the general hearing of Ms. Carrisalez [maternal grandmother/temporary guardian].  1. Need <i>Notice of Hearing</i> . 2. Need proof of service with 15 days notice of <i>Notice of Hearing</i> with copy of petition on: a. Sylvia Carrisalez (maternal grandmother/- temporary guardian) b. Levi DeLaCruz (sibling)	
Cont. from		<b>ALFREDO AGUIRRE and JUANITA AGUIRRE</b> , paternal grandparents, are petitioners.		
	Aff.Sub.Wit.			
✓	Verified	<i>See petition for details.</i>		
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg			x
	Aff.Mail			x
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
✓	Conf. Screen			
	Letters			x
✓	Duties/Supp			
	Objections			
	Video Receipt			
✓	CI Report			
	9202			
	Order	x		
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
			<b>Reviewed by:</b> SEF	
			<b>Reviewed on:</b> 9/14/2016	
			<b>Updates:</b>	
			<b>Recommendation:</b>	
			<b>File 14B- DeLaCruz/ Aguirre</b>	

14B

**15 Evangelina Ramirez (GUARD/P)****Case No. 16CEPR00567****Petitioner Perez, Rosemary Ruiz (Pro Per – Paternal Grandmother)****Attorney Rusca, Rosemary (Limited Scope for Jessica Mendoza – Objector – Mother)****Petition for Appointment of Guardian of the Person**

		<b><u>TEMPORARY EXPIRES 09/20/2016</u></b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<b>ROSEMARY RUIZ PEREZ, Paternal Grandmother, is Petitioner.</b>	<b>Minute Order of 07/26/2016: The Court will confirm the status of the joinder in Family Law Case on 09/20/2016.</b>
<b>Cont. from 072616</b>		<b><u>Please see petition for details</u></b>	<b>Minute Order of 06/09/2016 (Hearing on Temporary Petition):</b> The Court grants the temporary guardianship to preserve the status quo, without prejudice. The order is not meant to circumvent or claim superior judgement over the family court. All current family law visitation orders remain in full force and effect. The Court orders that Rudy Ramirez, Jr., father, shall not reside in the home of Rosemary Perez nor visit at any time or for any reason. For the record, Ms. Rusca represents that they have no objection to Ms. Perez joining into the family law matter.
	<b>Aff.Sub.Wit.</b>		
✓	<b>Verified</b>		
	<b>Inventory</b>		
	<b>PTC</b>		
	<b>Not.Cred.</b>		
✓	<b>Notice of Hrg</b>		
	<b>Aff.Mail</b>	x	
	<b>Aff.Pub.</b>		
	<b>Sp.Ntc.</b>		
✓	<b>Pers.Serv.</b>	w/	
✓	<b>Conf. Screen</b>		
✓	<b>Letters</b>		
✓	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
✓	<b>CI Report</b>		
	<b>9202</b>		
✓	<b>Order</b>		
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
✓	<b>UCCJEA</b>		
	<b>Citation</b>		
	<b>FTB Notice</b>		
			<b>Reviewed by: LV</b>
			<b>Reviewed on: 09/14/2016</b>
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 15- Ramirez</b>

**16A Donald I. Templer (Estate)****Case No. 16CEPR00669****Attorney Ramirez, Edward R., JR (for Diane Cercado – Petitioner – Friend)****Attorney Cunningham, Nikole (for Mark Templer – Objector – Cousin)****Petition for Probate of Will and for Letters Testamentary with IAEA**

<b>DOD: 06/02/2016</b>		<b>DIANE CERCADO</b> , friend/named Executor without bond, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		Full IAEA – o.k.	<b>16B is the Status Hearing re: Discussions</b>
		Will dated: 09/08/2015	
<b>Cont. from 080416</b>		Residence: Fresno	<b>Minute Order of 08/04/2016: Mr. Thompson was just retained by objector; Counsel will discuss the matter.</b>
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	s/p	
<input checked="" type="checkbox"/>	<b>Verified</b>		<b>Note: If the petition is granted status hearings will be set as follows:</b>
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		<ul style="list-style-type: none"> <li>• <b>Tuesday, 02/23/2017 at 9:00a.m. in Dept. 303</b> for the filing of the Inventory and Appraisal <u>and</u></li> </ul>
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		<ul style="list-style-type: none"> <li>• <b>Tuesday, 11/14/2017 at 9:00a.m. in Dept. 303</b> for the filing of the first account and final distribution.</li> </ul>
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	w/o	
<input checked="" type="checkbox"/>	<b>Aff.Pub.</b>		Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		<b>Reviewed by:</b> LV
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input checked="" type="checkbox"/>	<b>Letters</b>		<b>Reviewed on:</b> 09/15/2016
<input checked="" type="checkbox"/>	<b>Duties/Supp</b>		
<input checked="" type="checkbox"/>	<b>Objections</b>		<b>Updates:</b>
<input type="checkbox"/>	<b>Video Receipt</b>		<b>Recommendation:</b>
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		<b>File 16A- Templer</b>
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		

**Please see additional page****16A****Dept. 303, 9:00 a.m. Tuesday, September 20, 2016**

Objector intends, within 30 days, to file a Contest and Grounds of Opposition to Admission of Will to Probate and Opposition to Appointment of Personal Representative under Probate Code Sections 8004 and 8250, but due to the recent retention of legal counsel is unable to file such Contest in advance of the August 4, 2016 hearing.

Wherefore, Objector prays for an Order of the Court as follows:

- 1) The Court deny the admission of the purported Will to probate and continue hearing on the Petition of Diane Cercado for Letters of Testamentary to allow Objector insufficient time to file his intended Contest of Will; and
- 2) For such other and further Order or Orders as the Court may deem appropriate.



## Probate Status Hearing RE: Discussions

<b>DOD: 06/02/2016</b>		<b>DIANE CERCADO</b> , friend and named Executor filed a Petition for Probate of Will and Letters Testamentary on 06/27/2016.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		Hearing was set for 08/04/2016.	
<b>Cont. from</b>		Mark Templer, decedent's cousin, filed an Objection to the Petition for Probate on 08/03/2016.	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input type="checkbox"/>	<b>Verified</b>		
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input type="checkbox"/>	<b>Notice of Hrg</b>		
<input type="checkbox"/>	<b>Aff.Mail</b>		
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
		Minute order of 08/04/2016 set this Status Hearing re: Discussions.	
		<b>Objector's Status Report filed 09/08/2016</b> states on or about 06/27/2016, Diane Cercado filed a Petition for Probate of Will and for Letters Testamentary and Authorization to Administer Under the Independent Administration of Estates Act. On information and belief, Diane Cercado was Decedent Donald I. Templer's hired caregiver and was a "care custodian" for Decedent as defined in Probate Code section 21362. On information and belief, the purported Last Will and Testament of Donald I. Templer, dated September 8, 2016, is presumed the product of fraud and/or undue influence pursuant to Probate Code section 21380(a)(3).	
		On or about August 3, 2016, Objector Mark Templer filed an Objection to Admission of Will to Probate and Appointment of Personal Representative and therein noted his intention to file a Will Contest. In addition to Mark Templer, Ms. Cunningham's office has now been retained by all of Decedent's remaining relatives, Eugene Templer, Phyllis Hanson, Janice Wilke, Lucille Tullis, and Doris DeVries, to contest the purported Last Will and Testament of Donald I. Templer which has been offered to probate by Diane Cercado.	
		Ms. Cunningham states her office is finalizing the Will Contest and it is expected to be filed with the Court prior to the Status Conference hearing on 09/20/2016.	
			<b>Reviewed by:</b> LV
			<b>Reviewed on:</b> 09/15/2016
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 16B- Templer</b>

**Order to Show Cause**

<b>DOD: 12/15/12</b>	<b>SAMUEL HERNANDEZ, ALMA E. WELLS, ELUID HERNANDEZ, children, and BATYA HERNANDEZ, and MATEA HERNANDEZ, successors to post-deceased son DAVID HERNANDEZ, are Petitioners.</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<b>Update:</b> On 9/19/16, Attorney Lind filed a Declaration in support of her petition, which states that she apologizes to the Court for her failure to appear on 8/9/16, as she had incorrectly calendared the matter for 8/5/16. The Declaration then provides authority to proceed with the petition as filed.
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>	Petitioners filed a Petition to Determine Succession to Real Property on 6/27/16 that was heard on 8/9/16.	
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>	Examiner Notes for the 8/9/16 hearing noted several issues regarding the petition. See prior notes for details.	
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>	On 8/9/16, there were no appearances and the Court issued this Order to Show Cause to Ruth Lind as to why she should not be sanctioned for her failure to appear. Attorney Lind is ordered to be personally present in court or present via CourtCall on 9/20/16.	However, Examiner notes that the authority cited is not appropriate to the situation. See Examiner Note #4 from the hearing on 8/9/16, which suggests a special administration of the post-deceased heir in order to proceed, and subsequently his heirs will be able to pass his share via affidavit procedure.
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>	The minute order was mailed to Attorney Lind on 8/9/16.	Further, Court records indicate that in addition to this Petition to Determine Succession, the two of the petitioners, Samuel Hernandez and Alma E. Wells, have also filed a full petition for probate in 16CEPR00854, which is set for hearing on 9/29/16.
<b>9202</b>		
<b>Order</b>		A petition to determine succession is not appropriate when a full probate is being opened.
		Therefore, need clarification as to how the attorney plans to proceed.
<b>Aff. Posting</b>		<b>Reviewed by:</b> skc
<b>Status Rpt</b>		<b>Reviewed on:</b> 9/13/16
<b>UCCJEA</b>		<b>Updates:</b> 9/19/16
<b>Citation</b>		<b>Recommendation:</b>
<b>FTB Notice</b>		<b>File 17- Hernandez</b>

**Petition to Determine Succession to Real Property**

<b>DOD: 2/14/16</b>		<b>DANNICA B. DUONG</b> , mother and Guardian of the Estate of Decedent's minor son <b>BARON METTEYA DUONG</b> , is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
			<b>Minute Order 8/18/16:</b> Examiner notes provided in open court; the Court directs Mr. Calhoun to investigate the issue of heirs, which were found in a search by the examiner.
<b>Cont. from 081816</b>		40 days since DOD	<b>As of 9/13/16,</b> nothing further has been filed.
	<b>Aff.Sub.Wit.</b>		
✓	<b>Verified</b>	No other proceedings	<b>1. Petitioner lists only herself and minor Baron Metteya Duong at Attachment #14; however, Court records reflect that this minor may not be the only heir. The Court may require further diligence or clarification.</b>
✓	<b>Inventory</b>	I&A: \$100,000.00 (real property located at 4809 E. Atchison in Fresno)	
	<b>PTC</b>		
	<b>Not.Cred.</b>		
✓	<b>Notice of Hrg</b>	Decedent died intestate	
✓	<b>Aff.Mail</b>	W Petitioner states the Decedent was <u>not</u> a resident of California at the time of his death, but died owning property in this county.	
	<b>Aff.Pub.</b>		
	<b>Sp.Ntc.</b>		
	<b>Pers.Serv.</b>		
	<b>Conf. Screen</b>	Petitioner states no proceeding for administration has been conducted in California and no proceeding has commenced in another jurisdiction.	
	<b>Letters</b>		<b>Declaration of Dannica B. Duong filed 8/17/16 states she and the decedent were never married, and had one son, Baron Metteya Duong and no daughters. The decedent's parents have died and he had no brothers or sisters. Baron Metteya Duong is his only child and sole heir.</b>
	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>	Petitioner requests Court determination that Decedent's real property passes to her 100% as guardian for Decedent's minor son <b>BARON METTEYA DUONG</b> for the benefit of the minor.	
	<b>CI Report</b>		
	<b>9202</b>		
✓	<b>Order</b>		
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>	Attachment #13 contains a certified copy of "Order of Appointment of Guardian/Conservator for Minor," case titled "IN RE: Estate of Baron Duong" (Laurel Circuit/ District Court, Commonwealth of Kentucky) entered 4/4/16, the petition therefor, and a certified copy of Baron Metteya Duong's birth certificate (County of Fresno) reflecting Dannica B. Duong as mother and Ernie Chap Tess as father of Baron Metteya Duong.	
	<b>UCCJEA</b>		
	<b>Citation</b>		<b>Reviewed by:</b> skc <b>Reviewed on:</b> 9/13/16 <b>Updates:</b> <b>Recommendation:</b> <b>File 18- Tess</b>
	<b>FTB Notice</b>		

Attorney Kathleen Bakergumprecht (for Petitioner Nancy Erwin, maternal grandmother)  
 Objector Richard Riojas (Pro Per, father)

**Petition for Appointment of Temporary Guardian of the Person**

		<p><b>NANCY ERWIN</b>, maternal grandmother, is Petitioner.</p> <p align="center">~Please see Petition for details~</p> <p><b>Opposition of Richard Riojas to the Petition of Nancy Erwin for Guardianship of Jade Riojas, with POS, filed on 7/25/16.</b></p> <p><b>Declaration of Diane Riojas in Support of the Opposition to the Petition of Nancy Erwin for the Guardianship of Jade Riojas filed on 7/25/16.</b></p> <p><b>Response to Opposition of Richard Riojas filed by Nancy Erwin on 8/4/16.</b></p> <p><b>Reply to the Response of Nancy Erwin filed by Richard Riojas on 8/25/16.</b></p> <p><b>Notice of Unavailability of Attorney filed on 8/4/16.</b></p> <p><b>Court Investigator's Report was filed 9/15/2016.</b></p> <p><b>Declaration filed by the father, Richard Riojas, Jr., on 9/16/2016 attaches a letter from therapist.</b></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Note Re Temporary Visitation Orders:</b> Minute Order dated 9/1/2016 from the last hearing on the temporary petition states temporary visitation orders stay in full force and effect. Minute Order dated 7/21/2016 from a previous hearing on the temporary petition states, in pertinent part, that the Court orders the child not be removed from the County of Fresno. During the summer visitation, is to <b>alternate weeks between grandmother and father. Starting 7/22/2016, child is to go with grandmother. Exchange will be on Fridays at 6pm unless mutually agreed upon.</b></p>	
Cont. from 072116, 081116				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			W/
	Aff.Pub.			
	Sp.Ntc.			
✓	Pers.Serv.			
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
✓	Objections			
	Video Receipt			
✓	CI Report			
✓	Clearances			
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
			<p><b>Reviewed by:</b> LEG</p> <p><b>Reviewed on:</b> 9/13/16</p> <p><b>Updates:</b> 9/16/16</p> <p><b>Recommendation:</b></p> <p><b>File 19 – Riojas</b></p>	

Attorney  
Attorney

Aguirre, L. Kim (for Petitioner Mai Doua Thao)  
Rich Mount, Sheri (for Parents Lee Seng Thao and Xee Moua – Objectors)

Petition for Appointment of Guardian of the Person

See petition for details.			NEEDS/PROBLEMS/COMMENTS:
			<p><b>Note:</b> On 8/1/16, the Court ordered that the minor is not to leave the State of California nor the County of Fresno for any reason. See Minute Orders of 8/1/16 and 8/8/16 re visitation orders.</p> <p>1. <u>Need mandatory Judicial Council Form GC-210(CA) Child Information Attachment</u>, which provides specific mandatory information to the Court regarding the minor, including list of relatives entitled to notice, information re ICWA, etc.</p> <p><u>Update:</u> The GC-210(CA) was filed 9/16/16, <u>but is incomplete</u> as to the minor's relatives. Need <u>completed</u> GC-210(CA).</p> <p>2. Need clarification re whether the paternal and maternal grandparents and siblings age 12 and older have been given notice as required by Probate Code §1511, as there is no Child Information Attachment listing the relatives. (Notice of Hearing filed 8/23/16 lists numerous names, but relationships are not stated.)</p> <p>3. Need Order, Letters per Local Rule 7.1.1.F.</p>
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	W	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.	X	
✓	Conf. Screen		
	Letters	X	
✓	Duties/Supp		
✓	Objections		
	Video Receipt		
✓	CI Report		
✓	Clearances		
✓	Order	X	
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: skc
			Reviewed on: 9/13/16
			Updates: 9/19/16
			Recommendation:
			File 20- Thao

Petitioner Queenie Dorris-Hill (Pro Per)

## Petition for Probate of Will and for Letters Testamentary

<b>DOD: 7/6/2016</b>	<b>QUEENIE DORRIS-HILL</b> , [relationship unspecified] named Co-Executor without bond, is Petitioner.		<b>NEEDS/PROBLEMS/COMMENTS:</b>
			1. Need copy of Decedent's Will pursuant to Probate Code § 8002(b)(1), which requires a copy of the will be attached to a petition for probate of will as Attachment 3(e)(2).
<b>Cont. from</b>	Full IAEA: <b>Need publication</b>		2. Decedent's original Will deposited on 8/8/2016 shows the Will was not executed in accordance with Probate Code § 6110, as the Will was not witnessed by being signed by two persons as required under Probate Code § 6110(c)(1). Given that there are no subscribing witnesses to the Will, Petitioner as proponent of the Will in support of the instant <i>Petition</i> must establish by clear and convincing evidence that, at the time the testator signed the Will, the testator intended the Will to constitute her Will, pursuant to Probate Code § 6110(c)(2) which allows treatment of a will not executed in compliance with Probate Code § 6110(c)(1) as if it was executed in compliance with the Probate Code requirements.
<input type="checkbox"/> Aff.Sub.Wit.			
<input checked="" type="checkbox"/> Verified	Will Dated: 6/20/2016		
<input type="checkbox"/> Inventory	Residence: Fresno		
<input type="checkbox"/> Copy	X	Publication: <b>Need publication</b>	
<input type="checkbox"/> Not.Cred.			
<input checked="" type="checkbox"/> Notice of Hrg			
<input checked="" type="checkbox"/> Aff.Mail	W/		
<input type="checkbox"/> Aff.Pub.	X		
<input type="checkbox"/> Sp.Ntc.		<b>Estimated value of the Estate:</b>	
<input type="checkbox"/> Pers.Serv.		Real property - <b>\$73,360.00</b>	
<input type="checkbox"/> Conf. Screen		Personal property - <b>\$ 1,250.00</b>	
<input checked="" type="checkbox"/> Letters		Total - <b>\$74,610.00</b>	
<input checked="" type="checkbox"/> Duties/Supp		<b>Probate Referee: Steven</b>	
<input type="checkbox"/> Objections			
<input type="checkbox"/> Video Receipt			
<input type="checkbox"/> CI Report			
<input type="checkbox"/> 9202			
<input checked="" type="checkbox"/> Order			
<input type="checkbox"/> Aff. Posting			
<input type="checkbox"/> Status Rpt			
<input type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input type="checkbox"/> FTB Notice			

~Please see additional page~

Reviewed by: LEG

Reviewed on: 9/14/16

Updates: 9/15/16

Recommendation:

File 21- McLemore

## 21 Additional Page, Regina Faye McLemore (Estate) Case No. 16CEPR00820

### NEEDS/PROBLEMS/COMMENTS, continued:

3. Item 3(f)(1)(d) of the *Petition* is incomplete re: other named executor. Need declination to act as personal representative from **VIVIAN ROSS-EATON**, named Co-Executor in the Will, waiving her right to appointment as provided under Probate Code § 8420.
4. Need *Affidavit of Publication* showing newspaper publication of the Petitioners' request for appointment pursuant to Probate Code §§ 8120 – 8124, and Local Rule 7.9.
5. Item 8 the *Petition* does not but should include the names, relationships, and addresses of the Petitioner, the named Co-Executor, and if applicable, the names of any stepchild or foster child of the Decedent.
6. Item 5(a)(2)(b) of the *Petition* states Decedent's spouse is deceased. Item 8 of the *Petition* does not include the name and date of death of the deceased spouse pursuant to Local Rule 7.1.1 (D), which provides that if a beneficiary, heir, child, spouse or registered domestic partner in any action before the Probate Court is deceased, that person's date of death shall be included in the petition.
7. Item 5(b) of the *Petition* is incomplete as to whether decedent was survived by a stepchild or foster child or children who would have been adopted by Decedent but for a legal barrier.